

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

(Jointly Administered)

**NOTICE OF CORRESPONDENCE REGARDING THE THREE HUNDRED
THIRTY-FOURTH OMNIBUS OBJECTION (NON-SUBSTANTIVE) OF THE
COMMONWEALTH OF PUERTO RICO, THE PUERTO PUBLIC BUILDINGS
AUTHORITY, AND THE EMPLOYEES RETIREMENT SYSTEM OF THE
GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO TO
MISCELLANEOUS DEFICIENT CLAIMS**

To the Honorable United States District Judge Laura Taylor Swain:

1. On June 18, 2021, the Commonwealth of Puerto Rico (the “Commonwealth”), the Puerto Rico Public Buildings Authority (“PBA”), and the Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS,” and together with the Commonwealth and PBA, the “Debtors”), by and through the Financial Oversight and Management Board for

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283- LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17- BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

Puerto Rico (the “Oversight Board”), as the sole Title III representative of the Debtors pursuant to section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”),² filed the *Three Hundred Thirty-Fourth Omnibus Objection (Non-Substantive) of the Commonwealth of Puerto Rico, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority to Miscellaneous Deficient Claims* [ECF No. 17085] (the “Three Hundred Thirty-Fourth Omnibus Objection”) to various proofs of claim.

2. The Three Hundred Thirty-Fourth Omnibus Objection seeks to disallow certain deficient claims (the “Deficient Claims”) which purport to assert obligations of the Commonwealth, ERS, or PBA, but either (i) failed to provide any information identifying the nature or source of the obligations or explaining why the Commonwealth, ERS, PBA, or any other Title III Debtor is liable to the claimant, or (ii) identified the nature or source of the obligations, but failed to explain how the Commonwealth, ERS, PBA, or any other Title III Debtor is liable to the claimant. Moreover, a Mailing³ was sent to each of the claimants who filed Deficient Claims requesting additional information and supporting documentation, but virtually all of the claimants did not respond.

3. The Commonwealth, ERS, and PBA have received correspondence from Humberto Luis Rivera Ventura (“Rivera Ventura”), a copy of which is attached hereto as Exhibit “A” (the “Rivera Ventura Response”), regarding Proof of Claim No. 179148 (the “Rivera Ventura Claim”). A certified translation of the Rivera Ventura Response is attached hereto as Exhibit “A-1.”

4. The Rivera Ventura Response contains a copy of a completed Mailing. Therein,

² PROMESA is codified at 48 U.S.C. §§ 2101-2241.

³ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Three Hundred Thirty-Fourth Omnibus Objection.

Rivera Ventura asserts liabilities in the amount of \$80,000, purportedly associated with accrued, but unpaid, wages earned by his father, and identifies the agency for which Rivera Ventura's father worked as "sugar cane." Rivera Ventura Response at 3-4.

5. The Debtors understand that Rivera Ventura seeks liabilities arising from his father's employment with the Sugar Corporation. The Sugar Corporation, however, is not a Title III Debtor. Rather, the Sugar Corporation was a former government entity which has subsequently been privatized and, accordingly, is no longer in existence. Neither the Rivera Ventura Response nor the Rivera Ventura Claim provides a basis for asserting a claim against the Commonwealth, ERS, PBA, or any other Title III Debtor in respect of amounts owed by the Sugar Corporation.

6. Accordingly, because Rivera Ventura has not provided a basis for asserting the liabilities associated with the Rivera Ventura Claim against the Debtors, the Debtors respectfully request the Rivera Ventura Claim be disallowed in its entirety, notwithstanding the Rivera Ventura Response.

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Dated: January 5, 2022
San Juan, Puerto Rico

Respectfully submitted,

/s/ Hermann D. Bauer

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